

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

203/2

**2024:PHHC:046747
CRM-M-63710-2023
Date of decision: April 05, 2024**

BALJIT SINGH
...Petitioner

Versus

STATE OF PUNJAB
...Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kulbhushan Raheja, Advocate
for the petitioner.

Mr. Kuljit Singh, Additional Advocate General, Punjab.

Mr. Sanjeev Kumar, Advocate
for Mr. Manish Beniwal, Advocate
for the complainant.

ALOK JAIN, J. (ORAL)

1. The petitioner has filed the instant petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.68 dated 17.06.2023 (Annexure P-1) for offences under Sections 307, 452, 324, 336, 323, 148, 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Kulgari, District Ferozepur.
2. Learned counsel for the petitioner submits that the petitioner has been in custody since 17.06.2023 and the challan already stands presented. More so, it is a case of version and cross-version, in which both the sides had received injuries but in the interest of peace and harmony, the matter has been compromised vide Annexure P-2 and hence, prayer for grant of regular bail to the petitioner has been made.
3. Learned State counsel submits that the petitioner inflicted injury with *kirpan* and the said injury has been declared as grievous in nature but it

could not be denied that the challan stands presented and the matter has been compromised. He has submitted that petitioner has been in custody for almost 10 months now.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In light of the fact that the petitioner is in custody since 17.06.2023 and the trial is likely to take time, no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- ❖ The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ❖ He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- ❖ He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- ❖ He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

7. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.
9. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

April 05, 2024
Jaspreet Kaur

(ALOK JAIN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No